

purporting to have been made by a regular practising physician, he shall not by reason thereof be acquitted of such misdemeanor.

Cruelty to Animals.

1890, ch. 198.

46 B. Any person who wilfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal, or any act tending to produce such cruelty, or by any act, conduct, neglect, or omission wilfully causes, permits or suffers any animal to undergo any species of torture or cruelty, shall be deemed guilty of a misdemeanor.

Ibid.

46 c. The words "torture or cruelty" shall be held to include everything whereby unjustifiable physical pain, suffering or death is caused or permitted, and the word animal shall be held to include every living creature except men.

State v. Falkenham, 73 Md. 494.

1892, ch. 340.

46 D. Justices of the peace shall have jurisdiction concurrent with that of the courts of criminal jurisdiction, to try and determine all cases in relation to cruelty to animals and to pronounce sentence of fine and imprisonment, or either, in the same manner as said courts; but if either the parties accused or the State's attorney shall elect to have the case tried before court, it shall be the duty of the justice of the peace to give a preliminary hearing, except in cases where such hearing is waived by the accused, and if there be a probable cause of guilt, to commit or bail the accused for the action of the court having jurisdiction.

Ibid.

46 E. Whenever a fine is imposed in any such case by any court or justice of the peace, one-half thereof shall be paid to the Maryland Society for the Prevention of Cruelty to Animals of Baltimore City, in case there shall be no society of a similar character in the county, city or town where the offense shall have been committed, in which latter event the said one-half of the fine shall be paid to the said local society.